TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

April 4, 2006 LB 1249

address some of that on the floor today and in the committee. When Senator Friend, as the Chair of the Urban Affairs Committee did not vote for the bill to advance out of the committee, that sends a pretty strong message to me. I think other committee members voted it out of committee to help, as a favor perhaps, to Senator Landis. I can't speak for why five people voted it out of committee, but five people were willing to do that. I don't think they all really supported this bill, LB 1249. Senator Friend, who's been working on it probably as long as anyone on that committee and who chairs the committee, chose not to vote for it and stands before us today, raising objections to the bill, raising questions to the consequences, and I think raises legitimate issues. One of the those issues that I haven't really heard discussed too much is that the bill provides for exclusive service territories. But is there also a corresponding exclusive responsibility to serve the people, once those territories have been established? We can have what's been happening in the past, where somebody is granted an exclusive territory, but they choose to serve the best and most productive, the most economically viable customers. They...I don't see anything in here, and if there is, somebody can point it out to me, but I don't see any corresponding responsibility to serve every single customer in that territory, and they're not going ...

SENATOR CUDABACK: One minute.

SENATOR PREISTER: ...to be serving, as Senator Jensen rightfully pointed out, the responsibility for serving water. So how that's going to be resolved, I don't see in the bill. To me it raises an additional question, it raises additional costs that Senator Jensen pointed out, and I think it points out what the MOBA, or the Metro Omaha Builders pointed out in one of the opposing letters that I got, that said MOBA opposes LB 1249, because it provides no benefits to the customer. MOBA feels it would be far better to keep our options open and that customer choice is critical for lower cost. So that's essentially what Senator Friend is saying, too. We don't have a problem here; we don't need to take action; we don't need to do something that's going to get us further into the guicksand,...